BILL NO. G-71-12-14

GENERAL ORDINANCE NO. G-135-71

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a public street in Centlivre Park Addition.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A petition for the vacation of a public street by CALVARY TEMPLE, INC. OF FORT WAYNE, INDIANA, having been filed with the Fort Wayne City Plan Commission, and a resolution having been duly adopted by the Fort Wayne City Plan Commission on November 8, 1971 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Indiana Statutes, 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the followin g public street in Fort Wayne, Allen County, Indiana, to-wit:

> A platted but unnamed street 25 feet in width extending along the north side of Lot No. 5, Centlivre Park Addition to the City of Fort Wayne, from the west line of Clinton Street to the east line of East-brook Drive, Fort Wayne, Indiana.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted b y the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Herbert G. Tipton
Councilman

APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY

Read the first time in full and on motion by Tipton seconded by Nuckols and duly adopted, read the second time by title and referred to the (Committee on) Regulations ~~(and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on the ____ day of ____ 19 __, at ____ o'clock P.M., E.S.T.~~

Date: 12-14-71 Fred J. Bonahoom, City Clerk

Read the third time in full and on motion by Tipton seconded by Geake and duly adopted, placed on its passage.

Passed (~~LOST~~) by the following vote:

	AYES 8	NAYS 0	ABSTAINED	ABSENT 1
Adams	✓			
Dunifon	✓			
Fay				✓
Geake	✓			
Nuckols	✓			
Rousseau	✓			
Schmidt	✓			
Steigerwald	✓			
Tipton	✓			

to-wit:

Date 12-28-71 Fred J. Bonahoom, City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(Zoning Map)~~ (General) ~~(Annexation) (Special) (Appropriation)~~ Ordinance ~~(Resolution)~~ No. G-135-71 on the 28th day of December, 19 71.

ATTEST: (SEAL)

Fred J. Bonahoom, City Clerk

Phil A. Steigerwald [signature], Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 19 71 at the hour of 8:30 o'clock A.M., E.S.T.

Fred J. Bonahoom, City Clerk

Approved and signed by me this 29th day of December, 19 71, at the hour of 9:15 o'clock A.M., E.S.T.

Harold S. Zeis, Mayor

Bill No. G-71-12-14

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending General Ordinance No. G-97 by authorizing the vacation of a public street in Centlivre Park Addition,

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance do PASS.

HERBERT G. TIPTON, Chairman	Herbert G. Tipton
JACK K. DUNIFON, Vice-Chairma	Jack K. Dunifon
THOMAS G. ADAMS	Thomas G. Adams
WILLIAM K. GEAKE	Wm K. Geake
DONALD J. SCHMIDT	D J Schmidt

CONCURRED IN

DATE 12-28-71 FUAD G. DONAHOOM, CITY CLERK

RESOLUTION

WHEREAS, Calvary Temple, Inc. of Fort Wayne, Indiana, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street in Allen County, Indiana, to-wit:

> A platted but unnamed street 25 feet in width extending along the north side of Lot No. 3, Plat 2, Centlivre Park Addition to the City of Fort Wayne, from the west line of Clinton Street to the east line of Eastbrook Drive, Fort Wayne, Indiana,

all in accordance with the terms of Section 46, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section [illegible] of Chapter [illegible] of the Acts of 1963 of the General Assembly of the State of Indiana, Ind. Ann. Stat. § 53-744 (Burns 1964 Repl. Ed.); and,

WHEREAS, notice of such public hearing has been given by due and proper publication [illegible]; and,

WHEREAS, said public hearing was held on January 17, 1966, at 7:30 o'clock p.m.; and,

WHEREAS, the Plan Commission did reconsider the petition at its regular meeting held November 8, 1971, for the reasons that the right-of-way requirement for the widening of North Clinton Street have been determined by the State Highway Commission.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission, upon reconsideration, makes no further recommendation but by this action points out to the Common Council that the original objection by the City Plan Commission to the vacation has been resolved;

BE IT FURTHER RESOLVED that by this action the Plan Commission determined that with the Clinton Street right-of-way being established by the State Highway Commission that the petition to vacate is not in violation of the Thoroughfare Plan;

BE IT FINALLY RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction in the vacation of streets and alleys in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Mary Ann Haynie, Secretary of the Fort Wayne City Plan Commission, do hereby certify that the above is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held January 17, 1966, and as it appears of record in the official records of said Plan Commission.

Dated this [illegible] day of [illegible], 19[illegible]

Mary Ann Haynie, Secretary
Fort Wayne City Plan Commission

— STREET TO BE VACATED

Dec 19-63

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev 1967)

Common Council, City of Ft.Wayne
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	
Head number of lines	-
Body number of lines	93
Tail number of lines	1
Total number of lines in notice	94

COMPUTION OF CHARGES

94 lines, ... columns wide equals ...... equivalent lines at 288¢ cents per line	$ 27.07
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two)	
TOTAL AMOUNT OF CLAIM	$ 27.07

DATA FOR COMPUTING COST

Width of single column 11 ems — Size of type 5½ point

Number of insertions 2 — Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

A. M. Hostman

Date January 21, 1972 — Title Clerk

Notice is hereby given that on the 28th day of December, 1971, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following General ordinance, to-wit:
Bill No. G-71-12-14

GENERAL ORDINANCE NO. G-135-71

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a public street in Centlivre Park Addition.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A petition for the vacation of a public street by CALVARY TEMPLE, INC. OF FORT WAYNE, INDIANA, having been filed with the Fort Wayne City Plan Commission, and a resolution having been duly adopted by the Fort Wayne City Plan Commission on November 8, 1971 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Indiana Statutes, 1964 Replacement, sec. 53-744), the Thoroughfares Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public street in Fort Wayne, Allen County, Indiana, to-wit:

A platted but unnamed street 25 feet in width extending along the north side of Lot No. 5, Centlivre Park Addition to the City of Fort Wayne, from the west line of Clinton Street to the east line of Eastbrook Drive, Fort Wayne, Indiana.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

HERBERT G. TIPTON, Councilman

Read the third time in full and on motion by Tipton seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes, eight.
Adams, Dunifon, Geake, Nuckols, Rousseau, Schmidt, Steigerwald, Tipton.
Nays, none.
Absent, one, to-wit: Councilman Fay.
Date: 12-28-71.

FUAD G. BONAHOOM, City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-135-71 on the 28th day of December, 1971.

ATTEST:
FUAD G. BONAHOOM, City Clerk

PHIL A. STEIGERWALD, Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

FUAD G. BONAHOOM, City Clerk

Approved and signed by me this 29th day of December, 1971, at the hour of 9:15 o'clock A.M., E.S.T.

HAROLD S. ZEIS, Mayor

I, Fuad G. Bonahoom, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true, and complete copy of General Ordinance No. G-135-71 passed by the Common Council on the 28th day of December 1971, and that said Ordinance was duly signed, and approved by the Mayor on the 29th day of December, 1971 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 30th day of December, 1971.

FUAD G. BONAHOOM, City Clerk

1—11-18.

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that She is Clerk of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city ~~town~~ of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows:

January 11, 1972

January 18, 1972

A. M. Hostman

Subscribed and sworn to before me this 21st day of January 1972

Edith Stapleton
Notary Public

My commission expires March 8, 1974

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev. 1967)

Common Council-City of Ft. Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

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Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two)	
TOTAL AMOUNT OF CLAIM	$ 27.07

DATA FOR COMPUTING COST

Width of single column 11 ems — Size of type 5½ point

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Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla DeWald

Date January 21, 19 72 — Title CLERK

Legal Notices

Notice is hereby given that on the 28th day of December, 1971, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following General ordinance, to-wit:
Bill No. G-71-12-14

GENERAL ORDINANCE NO. G-135-71

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a public street in Centlivre Park Addition.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

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HERBERT G. TIPTON, Councilman

Read the third time in full and on motion by Tipton seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes, eight.

Adams, Dunifon, Geake, Nuckols, Rousseau, Schmidt, Steigerwald, Tipton.

Nays, none.

Absent, one, to-wit: Councilman Fay.

Date: 12-28-71.

FUAD G. BONAHOOM, City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-135-71 on the 28th day of December, 1971.

ATTEST:

FUAD G. BONAHOOM, City Clerk

PHIL A. STEIGERWALD, Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

FUAD G. BONAHOOM, City Clerk

Approved and signed by me this 29th day of December, 1971, at the hour of 9:15 o'clock A.M., E.S.T.

HAROLD S. ZEIS, Mayor

I, Fuad G. Bonahoom, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true, and complete copy of General Ordinance No. G-135-71 passed by the Common Council on the 28th day of December 1971, and that said Ordinance was duly signed, and approved by the Mayor on the 29th day of December, 1971 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 30th day of December, 1971.

FUAD G. BONAHOOM, City Clerk

1—11-18.

PUBLISHER'S AFFIDAVIT

~~State of~~ Indiana ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city ~~town~~ of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

January 11, 1972

January 18, 1972

Arvilla DeWald

Subscribed and sworn to before me this 21st day of January 19 72

Edith Stapleton
Notary Public

My commission expires March 8, 1974